## **SECRETARY OF STATE**[721]

#### **Notice of Intended Action**

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 47.1 and 17A.3, the Secretary of State hereby gives Notice of Intended Action to amend Chapter 22, "Voting Systems," Iowa Administrative Code.

These amendments are necessary due to the certification by the Board of Examiners for Voting Systems of two new voting systems for use in the state of Iowa. Chapter 22 does not contain any standards for use of these systems, and counties may be in the process of proceeding with purchases of the newly certified systems. Iowa Code section 52.5, subsection 4, requires administrative rules to be adopted governing the development of vote counting programs and all procedures used in actual counting of votes by means of the new systems before they can be used in an actual election.

Any interested person may make written suggestions or comments on the proposed amendments on or before May 21, 2013. Written suggestions or comments should be directed to Sarah Reisetter, Director of Elections, Office of the Secretary of State, First Floor, Lucas State Office Building, Des Moines, Iowa 50319.

Persons who want to convey their views orally should contact the Secretary of State's office by telephone at (515)281-0145 or in person at the Secretary of State's office on the first floor of the Lucas State Office Building.

Requests for a public hearing must be received by May 21, 2013.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code chapters 39 through 53.

The following amendments are proposed.

- ITEM 1. Amend rule **721—22.1(52)**, definition of "Automatic tabulating equipment," as follows:
- "Automatic tabulating equipment" means apparatus apparatuses that are utilized to ascertain the manner in which optical scan ballots have been marked by voters or by electronic ballot marking devices and to count the votes marked on the ballots.
  - ITEM 2. Adopt the following **new** definitions in rule **721—22.1(52)**:
- "Memory storage device" means a small, removable device containing data files of the election definition programmed for use in voting equipment for each election.
- "Voting equipment malfunction" means a problem with the voting equipment that renders the equipment inoperable for a period of time when it is has been deployed for use during an election. "Voting equipment malfunction" does not include interruptions of equipment operations due to routine error messages as referred to in subrule 22.261(5), 22.262(6) or 22.266(5).
  - ITEM 3. Adopt the following **new** paragraph **22.42(1)**"e":
- e. Mark at least one valid vote for each candidate and question on the ballot using the ImageCast Evolution or ImageCast Precinct with audio and printer (if applicable). The ballots marked by one of these units may be used as part of the systematic or straight party test deck (if applicable).
  - ITEM 4. Amend paragraph 22.42(4)"a," introductory paragraph, as follows:
- a. Election Systems & Software and Unisyn OpenElect and Dominion Democracy Suite—overvote and blank ballot test. For an overvote and blank ballot test, the commissioner shall:
  - ITEM 5. Adopt the following **new** paragraph **22.50(2)"c"**:
- c. Hardened operating system. For security purposes, users of Election Systems & Software, Unity 3.4.0.1 and Democracy Suite 4.6 shall harden the operating system on the computer on which

the election management system is housed according to the specifications of the vendor and the recommendations of the county information technology department (if any).

ITEM 6. Amend rule 721—22.51(52) as follows:

- 721—22.51(52) Memory eards storage devices. A memory card is a small, removable device containing data files of the election definition programmed for use in voting equipment for each election. For all voting equipment, the following security measures for memory storage devices are required:
- **22.51(1)** *Serial number.* Each memory eard storage device shall have a serial number printed on a readily visible label. The label shall include the name of the county.
- **22.51(2)** *Inventory.* Memory <u>eards storage devices</u> owned by the county and retained in the custody of the county commissioner shall be maintained under perpetual inventory, with a record of inventory activity. The commissioner shall maintain a similar record of relevant actions if the memory <u>eards storage</u> devices are acquired from a vendor for each election. The record of inventory activity shall reflect:
  - a. The date each memory eard storage device was acquired;
  - b. Each use of each memory eard storage device in an election;
  - c. Each maintenance activity to a memory eard storage device, such as changing the battery;
  - d. Any problems or errors detected while using the memory eard storage device during its life;
- *e*. Records of the disposal of any memory <u>eards</u> <u>storage devices</u> at the end of their useful life or upon return to the vendor for maintenance or warranty claims.

#### **22.51(3)** Custody.

- a. In counties where the commissioner has the necessary software and equipment to program the memory eards storage devices locally, the commissioner shall maintain a memory eard storage device log for each election as required in subrule 22.51(4) during the period when the memory eards storage devices are removed from storage, prepared for an election, and until they are sealed into a voting device. Only county employees and precinct election officials, as applicable, authorized by the county's security policy shall be permitted to handle the memory eards storage devices. No one individual should be alone with the unsecured memory eards storage devices at any time. If a person who is not authorized by the security policy to have access to the memory eards storage devices transports them to another location, such as a warehouse, the memory eards storage devices shall be enclosed in a transport container with a tamper-evident seal.
- b. In counties where the commissioner purchases programming services from a vendor, the memory eards storage devices shall be shipped to and from the vendor by a shipping service that employs tracking numbers. The memory eards storage devices shall be enclosed in a package sealed with a numbered, tamper-evident seal. Programmed memory eards storage devices shall be shipped in a package sealed with a numbered, tamper-evident seal from the vendor to the commissioner. If the seal is not intact upon arrival, the commissioner shall immediately contact the vendor for replacement eards storage devices. Only county employees authorized by the county's security policy (and precinct election officials, as applicable) shall be permitted to handle the memory eards storage devices. No one individual should be alone with the unsecured memory eards storage devices at any time.
- **22.51(4)** Memory eard storage device log. For each election, the commissioner shall create a log to record the serial numbers of each memory eard storage device, the voting device equipment into which the memory eard storage device was installed, the serial number of the seal, the ballot style and the precinct to which the machine equipment is assigned. The log shall be in substantially the same form as Form A or Form B, as applicable:

### Form A

# **State of Iowa**

Election Log: Memory Cards Storage Devices for	County
Use this form in counties where the memory eards storage devices are programmed	locally.
Memory <del>card</del> storage device chain of custody record for: F	Election to be held
//20	

Memory Card and/or Polling Storage Device Serial #		Progra	Programmed By Installed in Machine #	Installed By	Installation		Seal Number	Card Storage Device Returned from Polls		
		Date	Time			Date	Time		By	Date
										-
					l		l		l	1

### Form B

## **State of Iowa**

Memory Card Storage Device Serial #	Precinct and/or Polling Place	Sent for Programming		Installed in Machine #	Installed By	Installation		Seal Number	Storage Device Returned from Polls	
		Date Out	Date In			Date	Time		Ву	Date

<u>device</u> number on the chain of custody record. Enclose a photocopy of the Memory Card Storage Device Record with the eards storage devices.

Record each card storage device number before packing to ship, and check out each card storage

empped ey.			
	Print name	Signature	
Shipped to:			Shipped via:
			Tracking number:
			<del></del>
Instru	ctions to ve	endor:	
			e enclosed chain of custody record when
	g <del>cards</del> storage de		·
			_ Date:// Time:: a.m./p.m.
Print n	ame	Signature	
			from this inventory for any reason, make a notation
			nory Card Storage Device Record.  ed should be added to the bottom of the Memory
Care	d Storage Device R	Record as a new eard st	orage device. A serial number will be assigned
later	r by the receiving of	county.	
Shinned v	ia:	Date:	Tracking number:
этрреа ч	iu	Butc	Hucking number.
Received by	y County El	lection Depart	ment on Date://
Was the package	e sealed?	Was the sea	al intact?Notes:

Date:

a m/n m

Keep the memory <u>eards</u> <u>storage devices</u> in secure storage after they are received and until they are installed in the voting equipment.

- **22.51(5)** *Preparation and installation.* When memory <u>eards storage devices</u> are installed, they shall be sealed immediately into the machine using a numbered, tamper-evident seal. Appropriate log entries shall be completed.
- **22.51(6)** Replacing seals or memory <u>eards</u> <u>storage devices</u>. If a seal is accidentally broken or a memory <u>eard storage device</u> is replaced for any reason, the issuance of a new seal and the entry into the log shall be witnessed by more than one person. The facts of the incident and the names of the individuals who detected and resolved it shall be recorded.
- **22.51(7)** Opening the polls. Immediately before the polls open on election day, the precinct election officials shall turn on the voting equipment and print the report showing that all counters are set at zero.
- **22.51(8)** *Verification log.* The commissioner shall provide to each precinct a precinct verification log with the ballot record and receipt. The verification log shall provide places for precinct election officials to record or check the following information before the polls open and again before leaving the polling place at the end of the day:
  - a. Seal numbers from the voting equipment; and
  - b. Condition of seals on ballot containers.

#### **22.51(9)** *Election day.*

Shinned by:

- *a*. Before the polls are opened, the precinct election officials shall verify the required information in the verification log and sign the log.
- b. After the polls are closed, the precinct election officials shall verify the required information in the verification log and sign the log before leaving the polling place.
- c. If the precinct election officials remove the memory <u>eards</u> <u>storage devices</u> from the voting equipment, the officials shall first print the results report from the voting equipment.

**22.51(10)** Return of memory eards storage devices. If the precinct election officials remove the memory eards storage devices from the voting equipment on election night, they shall return to the commissioner the memory eards storage devices and the seals used to secure them in a sealed envelope or other container. All officials of the precinct shall witness the statement on the envelope or other container. The label on the envelope or other container shall be in substantially the following form:

### **Memory Cards Storage Devices**

Precin	net:			
Thica	anyalona containe Mamory (	Parde Storaga Davidae at	nd mamory card storage	davica accase saa

This envelope contains Memory Cards Storage Devices and memory eard storage device access seals from this precinct.

Machine Number	Memory Card Storage Device #	Memory Card Storage Device Seal #
	_	

[Signatures of all precinct election officials shall be included on the label.]

Election Date: \_\_\_\_\_

- **22.51(11)** *Storage*. If the memory <u>eards</u> <u>storage devices</u> are returned inside the voting equipment to the commissioner, the machine serial numbers and the seal numbers shall be verified against the verification log described in subrule 22.51(8). When the memory <u>eards</u> <u>storage devices</u> are removed, their serial numbers shall also be verified against the verification log returned by the precinct's election officials. The memory <u>eard</u> <u>storage device</u> audit log shall be retained for the time period required by Iowa Code section 50.19.
- **22.51(12)** Results verified. Before the conclusion of the canvass of votes, the individual results reports from the precincts, as signed by the precinct election officials at the polls on election night, shall be compared to the election results compiled for the canvass (either manually or electronically) to verify that transmitted and accumulated totals match the results witnessed by the election officials. Any discrepancies in these totals shall be reconciled before the supervisors conclude the canvass.
- **22.51(13)** Retention of programmed memory eards <u>storage devices</u>. The election information on all memory <u>eards storage devices</u> used for an election shall be retained on the memory <u>eards storage devices</u> until after the time to file requests for recounts and election contests has passed. If a contest is pending, the memory <u>eards storage devices</u> shall be retained until the contest is resolved. Before the memory <u>eards storage devices</u> are permanently erased, the commissioner shall print the memory <u>eard storage device</u> audit log from each <u>eard</u> storage device.
- **22.51(14)** Retention of program information. The commissioner shall retain all instructions and other written records of the process for programming the memory eards storage devices and the memory eard storage device audit logs for the period required by Iowa Code section 50.19. The contents of memory eards storage devices and other electronic records of the election process shall be collected and retained in an electronic or other medium and stored with the other election records for the time period required by Iowa Code section 50.19.
  - ITEM 7. Rescind rule 721—22.261(52) and adopt the following **new** rule in lieu thereof:
- 721—22.261(52) Election Systems & Software Voting Systems—preparation and use in elections. 22.261(1) Security. The commissioner shall have a written security plan for the voting system. Access to equipment, programs and passwords shall be limited to those persons authorized in writing by the commissioner. The security plan shall be reviewed at least annually.

- a. Passwords used at the polling places on election day shall be changed for each election.
- b. The control key for the precinct automatic tabulators shall be in the possession of the precinct chairperson on election day.
- **22.261(2)** *Precinct automatic tabulator configuration choices.* The following settings are mandatory for all elections.
- a. Ballot control. In an official election, the commissioner shall not program the precinct automatic tabulators for unconditional acceptance of all ballots, shall not divert blank ballots to the write-in bin, and shall always accept undervoted ballots. The system shall be programmed to query the voter in each of the following situations:
  - (1) Overvoted ballot.
  - (2) Blank ballot.
  - (3) Unreadable ballot.
- b. Unit control. The commissioner shall not select automatic transmission of election results by modem. The precinct officials must print the official results at the polling place before transmitting them.
  - c. Reports. The following are required reports:
  - (1) Opening the polls. Print the Zero Certification report.
- (2) Closing the polls. Print the poll report before transmitting the election results by modem. The poll report is the official record of the votes cast in the precinct on election day. The following certification text shall appear at the end of the poll report:

We, the undersigned precinct election offishows the results of all ballots cast and co		
election. [print lines for each of the officials to sig	n]	
Precinct Election Officials	Date:	Time:

- d. Reopen polls. The commissioner shall enable the option to reopen the polls, but protect it against unauthorized use. If it is necessary to reopen the polls, the chairperson of the precinct board shall contact the commissioner for the password.
- *e.* Ballot images. The commissioner shall disable the option to store ballot images as ballots are scanned by the precinct automatic tabulators.
- **22.261(3)** Central count automatic tabulator configuration choices. The following settings are mandatory for all elections in which the M650 or DS850 is used.
- a. Ballot control. In an official election, the commissioner shall program the central count automatic tabulator to accept overvoted ballots and undervoted ballots. The commissioner shall program the central count automatic tabulator to sort blank ballots and unreadable ballots as required by Iowa Code section 52.37. Ballots with write-in votes may be sorted for further review by the absentee and special voters precinct board at the commissioner's discretion.
  - b. Reports. The following are required reports:
- (1) Opening the polls. Before ballots are tabulated in the central count automatic tabulator, a Zero Certification report shall be printed.
- (2) Closing the polls. After all ballots are tabulated by the central count automatic tabulator, a poll report shall be printed. The poll report is the official record of ballots tabulated in the absentee precinct. The following certification text shall appear at the end of the poll report:

We the undersigned precinct election officials of this precinct, hereby attest that this tape

we, the undersigned preemet electron on	notation of this proofifet, nort	of accest that this tape
shows the results of all ballots cast and co	ounted by the Optical Scar	tabulation device at this
election.		
[print lines for each of the officials to sig	gn]	
Precinct Election Officials	Date:	Time:

c. Reopen polls. The commissioner shall enable the option to reopen the polls, but protect it against unauthorized use.

d. Ballot images. The commissioner shall disable the option to store ballot images as ballots are scanned.

#### 22.261(4) Ballot printing.

- a. Format. The office title, instructions about the maximum number of choices the voter can make for the office, the candidate names and all write-in lines associated with each office on the ballot shall be printed in a single column on the same side of the ballot. When describing the maximum number of choices the voter can make for the office, the following description for each office shall be used: "Vote for no more than xx." Do not include "vote for" language for public measures or judges. All text and the "yes" and "no" choices for each public measure and for each individual judge on a ballot shall be printed in a single column on the same side of the ballot. No office or public measure on any ballot shall be divided to appear in more than one column or on more than one page of a ballot.
  - b. Instructions for voters. The following instructions shall be printed on ballots:
  - (1) Voting mark. "To vote, fill in the oval next to your choice."
- (2) Straight party voting. "To vote for all candidates from a single party, fill in the oval in front of the party name. Not all parties have nominated candidates for all offices. Marking a straight party vote does not include votes for nonpartisan offices, judges or questions."
- (3) Public measures. "Notice to voters. To vote to approve any question on this ballot, fill in the oval in front of the word 'Yes'. To vote against a question, fill in the oval in front of the word 'No'."
- **22.261(5)** System error messages. At the discretion of the commissioner, precinct election officials may be provided with a list of routine error messages, including messages that relate to paper jams, which do not rise to the level of voting equipment malfunctions and the appropriate responses. The officials may be instructed to contact the commissioner or the commissioner's designee on election day for all other messages or routine errors for which appropriate responses have not been provided by the commissioner.
- **22.261(6)** Record retention. The precinct automatic tabulating equipment uses thermal printers. The maximum anticipated life span of the results from each automatic tabulator is only five years. In order to preserve the permanent record of the precinct results required by Iowa Code section 50.19, the commissioner shall print a copy of the results of each precinct on permanent paper and store these copies with the tally lists from precincts where the precinct automatic tabulators were used.
  - ITEM 8. Adopt the following **new** subrule 22.262(6):
- **22.262(6)** System error messages. At the discretion of the commissioner, precinct election officials may be provided with a list of routine error messages, including messages that relate to paper jams, which do not rise to the level of voting equipment malfunctions and the appropriate responses. The officials may be instructed to contact the commissioner or the commissioner's designee on election day for all other messages or routine errors for which appropriate responses have not been provided by the commissioner.
  - ITEM 9. Adopt the following **new** subrule 22.264(6):
- **22.264(6)** Record retention. The OVO unit uses a thermal printer. The maximum anticipated life span of the results from each OVO unit is only five years. In order to preserve the permanent record of the precinct results required by Iowa Code section 50.19, the commissioner shall print a copy of the results of each precinct on permanent paper and store these copies with the tally lists from precincts where the OVO unit was used.
  - ITEM 10. Adopt the following **new** rule 721—22.266(52):

### 721—22.266(52) Dominion Democracy Suite Voting Systems—preparation and use in elections.

- **22.266(1)** *Security.* The commissioner shall have a written security plan for the voting system. Access to equipment, programs and passwords shall be limited to those persons authorized in writing by the commissioner. The security plan shall be reviewed at least annually.
  - a. Passwords used at the polling places on election day shall be changed for each election.

- b. For each election, the precinct chairperson shall be responsible for the custody and security of the keys for the voting equipment and the ballot boxes and the security of the voting system on election day.
- **22.266(2)** Precinct automatic tabulator configuration choices. The following selections are mandatory for all elections.
- a. Access, messaging and tabulating selections. The Machine Behavioral Settings shall be configured as follows:
- (1) The option to allow voters to review ballot selections detected by the precinct automatic tabulator shall be disabled.
- (2) Results for each precinct automatic tabulator shall be consolidated by precinct and shall not be reported by split within a precinct.
- (3) The option to store ballot images as ballots are scanned by the precinct automatic tabulators shall be disabled.
- (4) The automatic tabulators shall be configured to report write-in votes when the oval is darkened, regardless of whether there is text written on the corresponding write-in line.
- b. Ballot acceptance. In an official election, the commissioner shall not program the precinct automatic tabulators for unconditional acceptance of all ballots and shall program the automatic tabulators to accept undervoted ballots. The automatic tabulators shall also be programmed to query the voter in each of the following situations:
  - (1) Overvoted ballot.
  - (2) Blank ballot.
  - (3) Unreadable ballot.
- (4) Ambiguous marks. Ambiguous marks shall be defined as those marks where 5 to 24 percent of the voting target is darkened.
  - c. Reports. The following are required reports:
  - (1) Opening the polls. Print a zero vote totals report.
- (2) Closing the polls. The poll report is the official record of the votes cast in the precinct on election day.
  - (3) Certification text. Substantially the following text shall appear at the end of the poll report:

We, the undersigned precinct election officials of this precinct, hereby attest that this tape shows the results of all ballots cast and counted on this tabulating device at this election. (Include signature lines for each of the officials to sign.)

- **22.266(3)** Central count automatic tabulator configuration choices. The following settings are mandatory for all elections in which the ImageCast Central automatic tabulator is used.
- a. Ballot control. In an official election, the commissioner shall program the central count automatic tabulator to accept overvoted ballots and undervoted ballots. The commissioner shall program the central count automatic tabulator to sort or notify the user when blank ballots, unreadable ballots and ballots with write-in votes are detected so such ballots can be separated for further review by the absentee and special voters precinct board as required by Iowa Code section 52.37.
  - b. Reports. The following are required reports:
- (1) Opening the polls. Before ballots are tabulated in the central count automatic tabulator, a Zero Certification report shall be printed.
- (2) Closing the polls. After all ballots are tabulated by the central count automatic tabulator, a poll report shall be printed. The poll report is the official record of ballots tabulated in the absentee precinct. The following certification text shall appear at the end of the poll report:

We, the undersigned precinct election officials of this precinct, hereby attest that this tape
shows the results of all ballots cast and counted by the Optical Scan tabulation device at this
election.
[print lines for each of the officials to sign]

[print lines for each of the officials to s	sign]	
Precinct Election Officials	Date:	Time:

- c. Reopen polls. The commissioner shall enable this option, but protect it against unauthorized use.
- **22.266(4)** *Ballot layout.* Although the Dominion Democracy Suite voting system software includes choices for variations in ballot layout, all ballots shall be prepared according to the requirements of Iowa Code sections 43.26 through 43.29 and 49.30 through 49.48.
- a. Format. The office title, instructions about the maximum number of choices the voter can make for the office, the candidate names and all write-in lines associated with each office on the ballot shall be printed in a single column on the same side of the ballot. When describing the maximum number of choices the voter can make for the office, the following description for each office shall be used: "Vote for no more than xx." Do not include "vote for" language for public measures or judges. All text and the "yes" and "no" choices for each public measure and for each individual judge on a ballot shall be printed in a single column on the same side of the ballot. No office or public measure on any ballot shall be divided to appear in more than one column or on more than one page of a ballot. For all elections, the voting target shall be printed on the left side of each choice on the ballot.
  - b. Instructions for voters. The ballots shall contain instructions for voters, including:
  - (1) How to mark the ballot;
  - (2) Straight party voting instructions in general elections as required by Iowa Code section 49.37;
  - (3) Where to find the judicial ballot (if any); and
- (4) Constitutional amendment (if any) as required by Iowa Code section 49.48 and notices to voters on ballots with public measures (if any) as required by Iowa Code section 49.47.
- **22.266(5)** System error messages. At the discretion of the commissioner, precinct election officials may be provided with a list of routine error messages, including messages that relate to paper jams, which do not rise to the level of voting equipment malfunctions and the appropriate responses. The officials may be instructed to contact the commissioner or the commissioner's designee on election day for all other messages or routine errors for which appropriate responses have not been provided by the commissioner.
- **22.266(6)** *Preelection testing of automatic tabulators.* Each ImageCast Evolution or ImageCast Precinct with or without audio and printer unit shall be tested pursuant to the provisions of Iowa Code section 52.30 and rule 721—22.42(52). At the commissioner's discretion, additional logic and accuracy tests may be conducted.
- **22.266(7)** *Audio ballot preparation.* Each candidate shall have an opportunity to provide a record of the proper pronunciation of the candidate's name. The same voice shall be used for recording the entire ballot, including instructions, office titles, candidate names and the full text of all public measures.
- **22.266(8)** Preelection testing of accessible components. The accessible components of each ImageCast Evolution or ImageCast Precinct with audio and printer unit shall be tested before each election in which the unit will be used. The commissioner must use the ImageCast Evolution or ImageCast Precinct with audio and printer unit to prepare some ballots for the test decks as required by paragraph 22.42(1)"e." In addition, the commissioner shall verify that:
- a. The vote response fields on the screen align with the candidate names or choices on the ImageCast Evolution.
  - b. All contests and candidates appear on the screen for each precinct on the ImageCast Evolution.
- c. All contests and candidates are included in the audio ballot for each precinct on the ImageCast Evolution or ImageCast Precinct with audio and printer unit.
- d. All voting positions in each race can be selected, then deselected, using the touchscreen on the ImageCast Evolution and the keypad on the ImageCast Evolution or ImageCast Precinct with audio and printer unit.
  - e. Selections on the printed ballots accurately reflect the voter's choices.
  - f. Overvote and undervote functions are programmed correctly.
- g. The write-in function for each office is working correctly. All letters in the alphabet must be tested.
- 22.266(9) Touchscreen and printer testing. The commissioner may provide for printer and touchscreen testing after delivery of the ImageCast Evolution or ImageCast Precinct with audio and

printer unit to the polling place. If touchscreen testing is performed at the polling place, the delivery staff shall complete the testing before the polls open on election day. Staff shall keep a log for each unit and record the machine serial number, precinct name or number, nature of the test, date and time of the test and name of the person performing the test.

- **22.266(10)** *Table or voting booth.* A table or voting booth shall be available to a voter using the ImageCast Precinct with audio and printer unit. A chair shall be provided for voters using the ImageCast Evolution keypad and headphones components. Any table or voting booth used shall meet the following requirements:
  - a. Clearance shall be at least 27 inches high, 30 inches wide, and 26 inches deep.
  - b. The top of the table shall be from 28 inches to 34 inches above the floor.
- **22.266(11)** *Privacy.* The commissioner shall instruct the precinct election officials to position the ImageCast Precinct with audio and printer unit to provide maximum privacy and access to voters.
- **22.266(12)** Abandoned ballots. If a voter or a precinct election official discovers that a voter has left the voter's ballot at the ImageCast Precinct with audio and printer unit, the two precinct election officials designated to assist voters shall enclose the ballot in a secrecy folder and immediately deposit the ballot in the tabulating device.
- **22.266(13)** *Ballot stock.* Each precinct in which an ImageCast Precinct with audio and printer unit is being used shall be equipped with ballot stock for the printer. The ballot stock shall be kept in a secure place throughout election day. Precinct election officials shall be instructed as to appropriate methods for securing the ballot stock and shall only place a sheet of ballot stock in the printer when an audio ballot is authorized on the unit.
- **22.266(14)** Record retention. The ImageCast Evolution, ImageCast Precinct and ImageCast Precinct with audio and printer unit use thermal printers. The maximum anticipated life span of the results from each unit is only five years. In order to preserve the permanent record of the precinct results required by Iowa Code section 50.19, the commissioner shall print a copy of the results of each precinct on permanent paper and store these copies with the tally lists from precincts where the units were used.